**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SOCIAL POSITIONING INPUT SYSTEMS, LLC,	§ § §	
Plaintiff,	§ §	Case No.: 3:21-cv-11630-FLW-ZNQ
vs.	§ § §	PATENT CASE
RAPIDSOFT SYSTEMS, INC. d/b/a FIELD FORCE TRACKER,	§ § § §	
Defendant.	§ § §	

FIRST AMENDED COMPLAINT

Plaintiff Social Positioning Input Systems, LLC ("Plaintiff" and/or "SPIS") files this its First Amended Complaint against Rapidsoft Systems, Inc. d/b/a Field Force Tracker ("Defendant" or "RSI") for infringement of United States Patent No. 9,261,365 (hereinafter "the '365 Patent").

PARTIES AND JURISDICTION

1.   This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2.   Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3.   Plaintiff is a Wyoming limited liability company with an office address of 1 East Broward Boulevard, Suite 700, Ft. Lauderdale, FL 33301.

4.   On information and belief, Defendant is a New Jersey corporation with its principal office located at 5 Nami Lane, Mercerville, NJ 08619.

5.   On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6.   On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7.   On information and belief, venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this District.   Alternatively, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO. 9,261,365)

8.   Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9.   This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq*.

10.   Plaintiff is the owner by assignment of the '365 Patent with sole rights to enforce the '365 Patent and sue infringers.
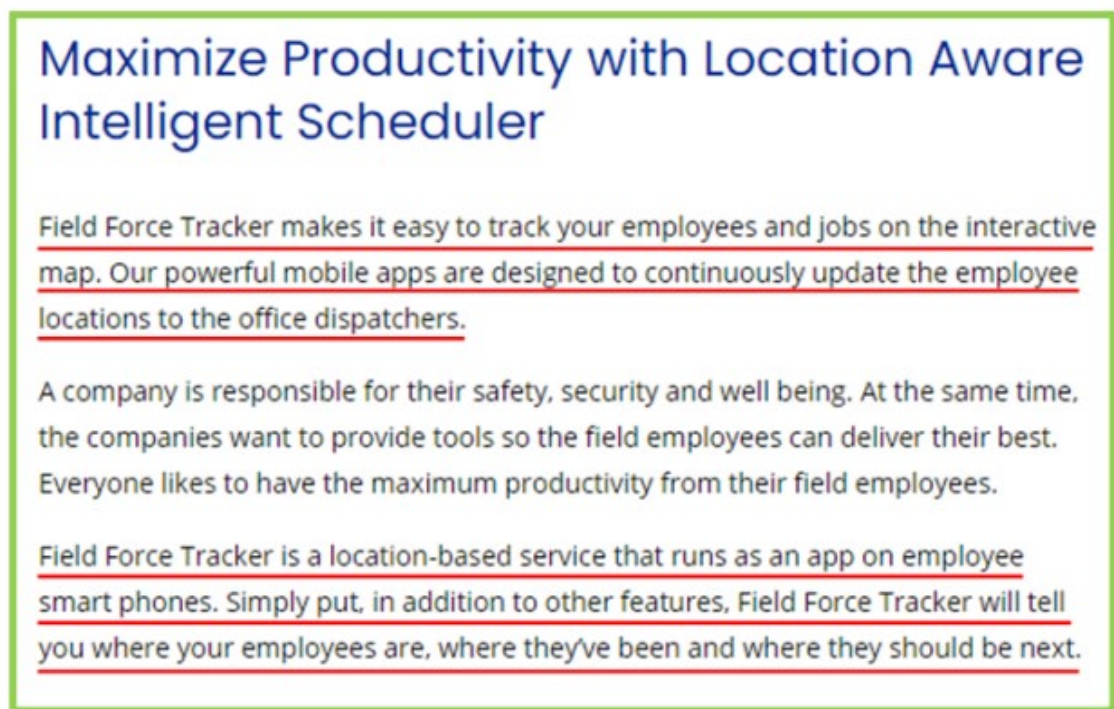
11.   A copy of the '365 Patent, titled "Device, System and Method for Remotely Entering, Storing and Sharing Addresses for a Positional Information Device," is attached hereto as Exhibit A.

12.   The '365 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13.   Upon information and belief, Defendant has infringed and continues to infringe

one or more claims, including at least Claim 1, of the '365 Patent by making, using (at least by having its employees, or someone under Defendant's control, test the accused Product), importing, selling, and/or offering for sale associated hardware and software for asset locating services (e.g., Field Force Tracker asset tracking platform, and any associated hardware, apps, or other software) ("Product") covered by at least Claim 1 of the '365 Patent. Defendant has infringed and continues to infringe the '365 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

14.   The Product provides a vehicle tracking system for real-time GPS tracking of assets. A user can receive location information on a positional information device (e.g., mobile device or computer). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Maximize Productivity with Location Aware Intelligent Scheduler

Field Force Tracker makes it easy to track your employees and jobs on the interactive map. Our powerful mobile apps are designed to continuously update the employee locations to the office dispatchers.

A company is responsible for their safety, security and well being. At the same time, the companies want to provide tools so the field employees can deliver their best. Everyone likes to have the maximum productivity from their field employees.

Field Force Tracker is a location-based service that runs as an app on employee smart phones. Simply put, in addition to other features, Field Force Tracker will tell you where your employees are, where they've been and where they should be next.

Source: https://www.fieldforcetracker.com/feature-9/

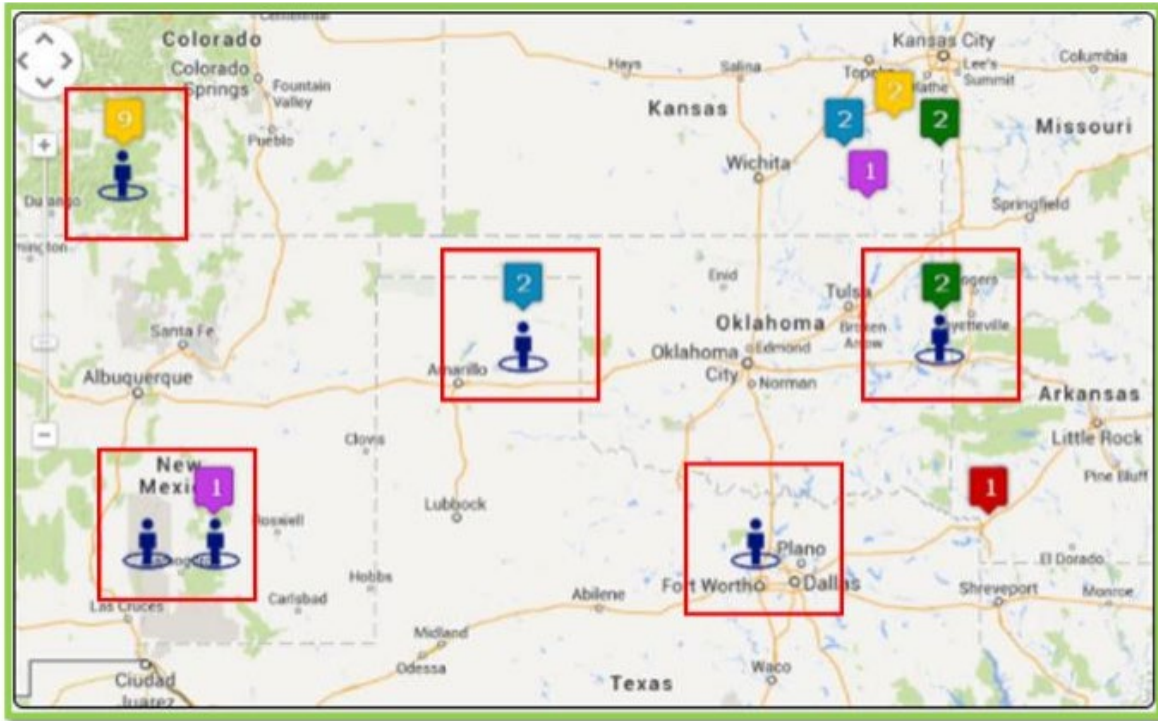## History of Past Locations on Your Finger Tips

View current location, proximity to jobs, customers and locations. Monitor clock in/out, idle time, routes traveled, arrival/departure times and speed. Knowing current and historical location information will help you save money.

At a glance, you can view driver history in real time. By simply clicking on each "breadcrumb" you have an instant view of driver location, direction and speed.

Stay informed with On Demand or Automated reports. Our robust reporting capabilities make it easy to monitor your field employees and record their site arrival and departure times and more.

Organizations with employees in the field can see their exact locations on Google Maps in near real time, Can Check Tour Plan Vs Actual, gather data from the field and can simplify the payroll process.

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15.   The Product software sends a request from a first (requesting) positional information device (e.g., mobile device or desktop with software installed) to a server. The request is for the real-time location (e.g., stored address) of a vehicle or vehicles, and includes a first identifier of the requesting positional information device (e.g., user ID and password for the Product software used in the particular enterprise). The request is sent to the Product server for transmitting the vehicle location. The server receives the at least one address from a second (sending) positional information device at the vehicle. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Improve Efficiency of Field Technicians

Being the best Field Service Software, Field Force Tracker has GPS tracking for accurate, real-time location data that is available at your fingertips. It's part of our integrated system and won't require any special or expensive hardware–just use any connected smartphone or tablet and our mobile app.

Field Force Tracker makes tracking the location of your field technicians easy using our mobile app. You'll have complete visibility and accountability over your technicians, and can view it on a map right in our system without using specialized equipment.

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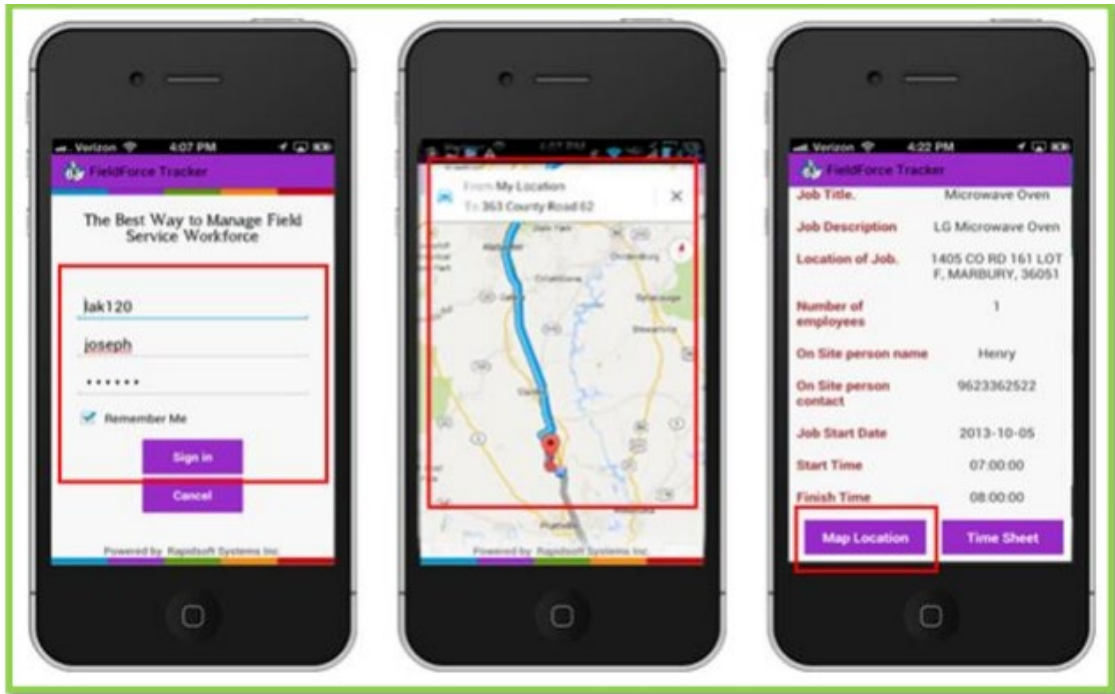
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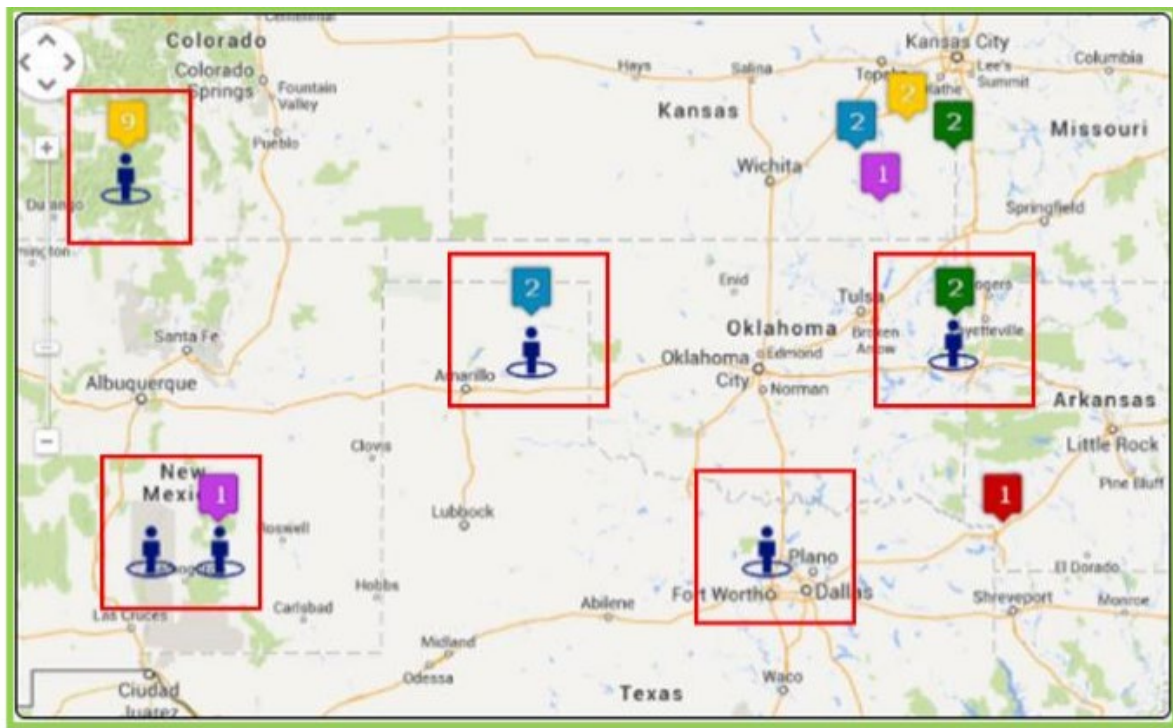Source: https://www.fieldforcetracker.com/field-service-app/

16.   The at least one address is received from the server at the requesting positional information device. For example the Product's server transmits the position of an asset (at least one address) to the requesting positional information device. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

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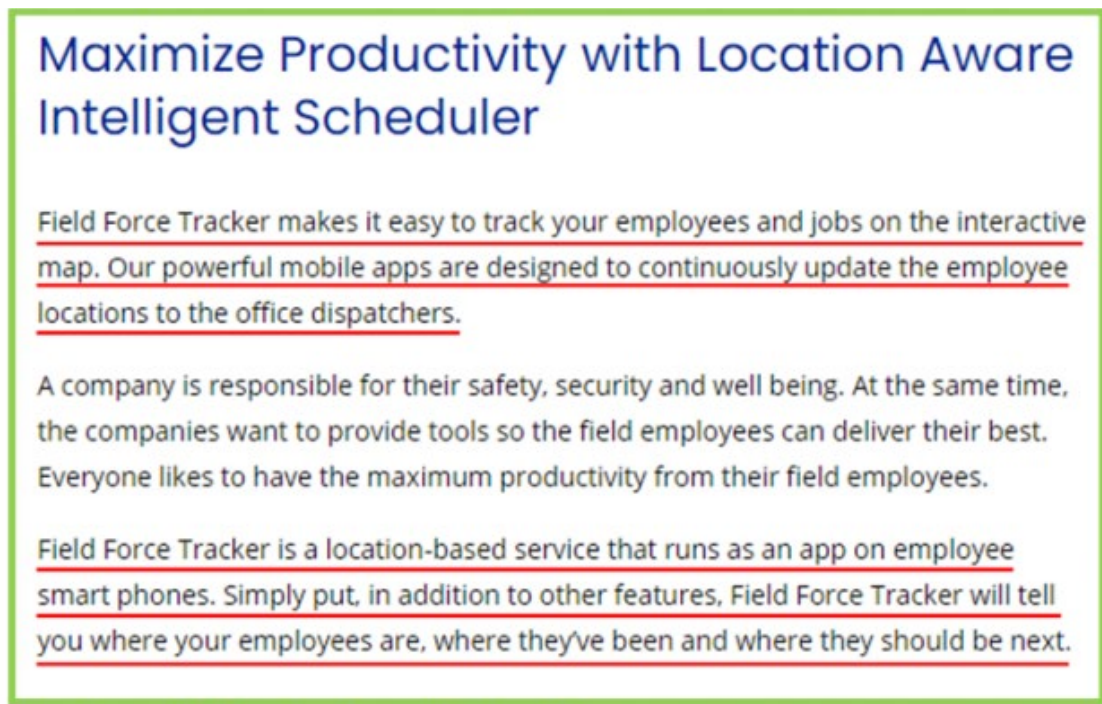
17.   A second identifier for the second (sending) positional information device is

determined based on the first identifier and the server retrieves the at least one address stored in

the at least one sending positional information device. The Product application installed on the requesting positional information device requests (from the server) the vehicle's GPS location (i.e., at least one stored address stored). As shown above, before activating the tracker (i.e., the sending positional information device), a unique tracking device's ID number (i.e., second identifier) needs to be added to the user's account identified by the user login ID and password (i.e., the first identifier). Hence, the tracker device's ID number or field employee credentials (i.e., second identifier) is mapped to the user's login ID (i.e., the first identifier) for tracking the real-time location (i.e., at least one stored address stored) of the vehicle. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

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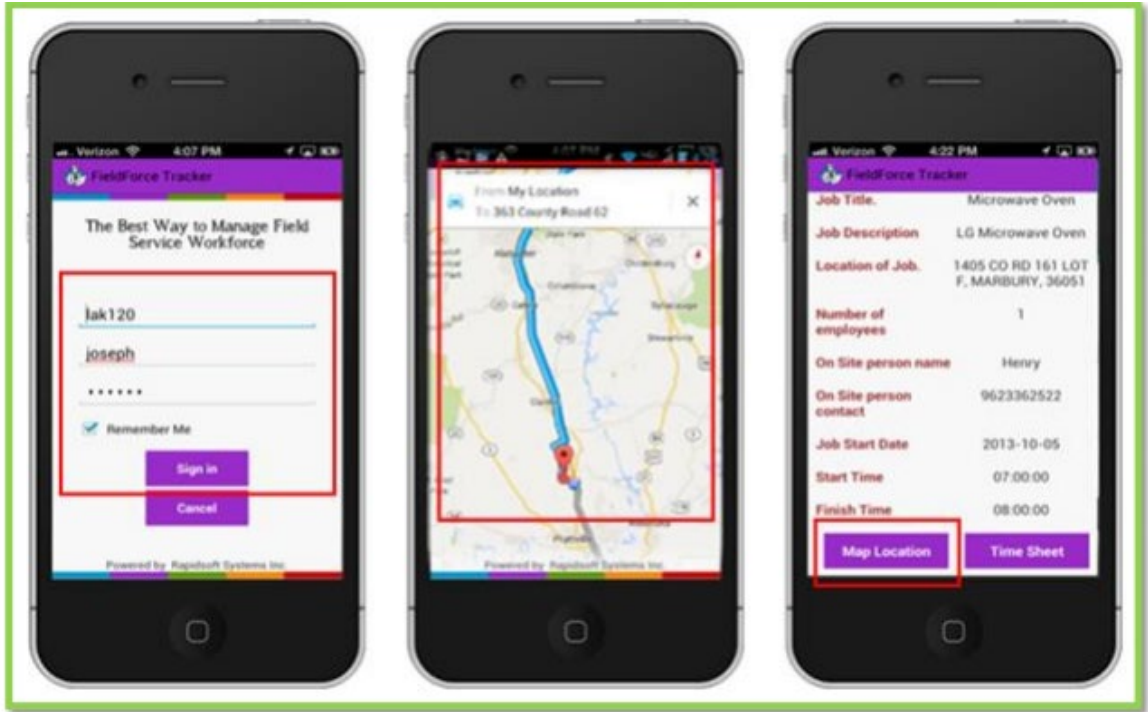
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Source: https://www.fieldforcetracker.com/field-service-app/

18.   Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

19.   Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

20.   Plaintiff is in compliance with 35 U.S.C. § 287.

<u>PRAYER FOR RELIEF</u>

WHEREFORE, Plaintiff asks the Court to:

(a)   Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b)   Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice

of the order from further infringement of United States Patent No. 9,261,365 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

      (c)   Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

      (d)   Award Plaintiff pre-judgment and post-judgment interest and costs; and

      (e)   Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: October 6, 2021   Respectfully submitted,

                                          /s/ Mark A. Kriegel
                                          MARK KRIEGEL
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                                          1479 Pennington Rd.
                                          Ewing, NJ 08618
                                          (609) 883-5133
                                          Fax: (609) 450-7237
                                          mkriegel@kriegellaw.com

                             ATTORNEYS FOR PLAINTIFF

                             <u>**CERTIFICATE OF SERVICE**</u>

        The undersigned hereby certifies that the foregoing document was filed electronically on
October 6, 2021, and was served via CM/ECF on all counsel who are deemed to have consented
to electronic service.

                                          /s/ Mark A. Kriegel
                                          MARK KRIEGEL